

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

HICKORY FOREST APARTMENTS, )  
Plaintiff, )  
v. ) No. 2:19-cv-02063-TLP-tmp  
DARRIUS BALDWIN, )  
Defendant. )

## **ORDER ADOPTING THE REPORT AND RECOMMENDATION**

Pro se Defendant, Darius Baldwin, filed a Notice of Removal from Shelby County, Tennessee, General Sessions Court. (ECF No. 1.) The Magistrate Judge issued a Report and Recommendation (“R & R”), addressing jurisdiction. (ECF No. 9.) In the R & R, the Magistrate Judge recommends that this Court remand this matter to the Shelby County Court of General Sessions under to 28 U.S.C. § 1447(c) and that Defendant’s Motion to Remand be denied as moot. (ECF No. 9 at PageID 39.)

In particular, the Magistrate Judge found that the Court lacked diversity jurisdiction, because Plaintiff failed to address Defendant's citizenship or the amount in controversy. As this case involves an eviction, the Magistrate Judge also concluded that Plaintiff presented no federal question on the face of its complaint. Finally, the Magistrate Judge found that supplemental jurisdiction would be inappropriate, because there is no basis for asserting original jurisdiction.

Under to Federal Rule of Civil Procedure 72(b)(2), “[w]ithin 14 days after being served with a copy of the recommended disposition, a party may serve and file specific

written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2).

Neither party objected to the R & R and the time for filing objections has expired. *See* Fed. R. Civ. P. 5(b)(2), 6(d), 72(b)(2).

“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee notes. Having reviewed the Magistrate Judge’s R & R, the Court finds no clear error and ADOPTS the R & R (ECF No. 9) in its entirety.

Thus, the Court hereby REMANDS this matter to the Shelby County Court of General Sessions.

**SO ORDERED**, this 7th day of March, 2019.

s/ Thomas L. Parker  
THOMAS L. PARKER  
UNITED STATES DISTRICT JUDGE

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